

**REMARKS**

Upon entry of the present amendment, Claims 1-7, 9-10, 13, and 15-19 remain in the application, of which claims 1, 7, and 15-19 are independent. Claims 7, 9, and 19 have been amended herein.

The applicant gratefully acknowledges the allowance of claims 1-6 and 15-18, and the indication that claim 9 contains allowable subject matter.

After careful consideration of the objections and rejections set forth in the Office Action, applicant respectfully submits that as amended, claims 1-7, 9-10, 13, and 15-19 patentably distinguish over the art of record, and requests allowance of all pending claims, as discussed further below.

**Claim rejections under 35 USC 103**

Claims 7, 10, 13 and 19 are rejected under 35 USC 103 as unpatentable over Yamada et al., published U.S. patent application 2001/0000052, in light of Asakura et al., U.S. Patent 6,234,546. The Examiner states that Yamada disclose an inner lid attaching structure for a personal watercraft, including a hatch 26 with an inner lid (bottom portion of lid 26) which is airtight, but fails to disclose the particular lock and projection. The Examiner further states that Asakura teach a lock and projection for a lid, and that it would have been obvious to form the lid of Yamada with a lock and projection as taught by Asakura for improved locking of the lid.

The applicant respectfully disagrees with this rejection since Yamada does not disclose the claimed lid structure. Yamada discloses a cover structure for a personal watercraft, which provides a sealed cover for a hollow space in the deck, but the cover structure of Yamada fails to include both an inner lid and a separate cover for placement over the inner lid. The Examiner appears to be interpreting the bottom surface of the hollow lid or hatch 26 as effectively

providing an inner lid, with the upper surface of the lid or hatch 26 presumably providing a component analogous to the claimed cover, although this is not clearly spelled out by the Examiner. However, these are not separate components as clearly indicated by the uniform and uninterrupted cross hatching of this component in Yamada's FIG. 2.

Further, the applicant disagrees with this rejection since the lid structure disclosed by Yamada is not removably attachable in covering relation to an opening, as recited in claim 7. Rather, the cover disclosed by Yamada is hingedly (via hinge 154, Fig 2) fixed adjacent the opening in the deck. Thus the cover disclosed by Yamada can move relative to the opening, but cannot be removed therefrom. Therefore, applicant's claims are distinguishable from the teaching of Yamada.

Asakura discloses a locking structure for a latch cover of a personal watercraft, which include a pin 11 extending upward from the deck, which releasably engages a lock device L secured to the underside of the cover. Lock device L includes an engaging member 18 which is selectively released from engagement with the pin 11 by levers 13. However, Asakura also fails to disclose a cover structure of the type described in claim 7, specifically, separate cover and inner lid sections which are removable from the watercraft.

The applicant respectfully disagrees with this rejection because Asakura does not disclose a projection which prevents attachment of the cover when the lid is not secured over the opening, as further recited in claim 7. The applicant assumes that the Examiner refers to pin 11 as reading on the claimed projection. However, pin 11 does not *prevent* attachment of the cover, regardless of the position of the cover relative to the opening, but rather *allows* attachment, since it is key to the operability of the attachment mechanism disclosed by Asakura.

The applicant further submits that Asakura does not disclose a projection provided integrally with the locking member, as recited in claims 7 and 19. Rather, Asakura discloses the projection (pin 11) as being fixed to, and stationary with respect to, the deck 1. The pin 11 of Asakura is clearly a separate entity from the locking device L, since the locking device L is secured to the cover, and can be completely separated from pin 11. Because pin 11 and locking device L are not integral, Asakura does not teach the claimed invention.

Although the applicant disagrees with the rejection, claims 7 and 19 have been amended herein for the purpose of promoting the prosecution of this application. Specifically, claims 7 and 19 have been amended to claim a locking member which is pivotally secured to the deck. This is clearly different that the invention disclosed by Asakura in which the locking member is secured to the cover portion, and in which the locking member is non-pivoting with respect to the cover portion.

As regards claims 10 and 13, the applicant respectfully disagrees with these rejections for the reasons discussed above with respect to claim 7, from which both these claims depend.

Because neither Yamada, nor the invention of Yamada as modified by Asakura disclose the claimed invention, the applicant considers claims 7, 9, 10, and 13 to be in condition for allowance.

#### **Other Matters**

Claim 9 is amended herein to place it in independent form including all the limitations of the base claim 7. Claim 9 is amended at the suggestion of the Examiner, who indicated that such an amendment would place claim 9 in allowable condition.

**Conclusion**

Based on all of the foregoing, applicant respectfully submits that all of the objections and rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination.

Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

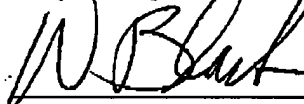
If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that he telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

The Commissioner is hereby authorized to charge the \$200.00 fee for one additional independent claim in excess of three to Deposit Account 50-0744 in the name of Carrier, Blackman & Associates, P.C. A duplicate copy of this sheet is enclosed.

Favorable consideration is respectfully requested.

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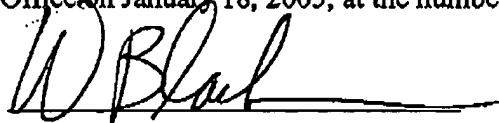
Respectfully submitted,

  
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Conclusion

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